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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,181	11/03/2000	Theron Tock	DANAP001	5562

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HARRITY & SNYDER, LLP
11240 WAPLES MILL ROAD
SUITE 300
FAIRFAX, VA 22030

EXAMINER

LAZARO, DAVID R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/706,181

Applicant(s)

TOCK ET AL

Examiner

David Lazaro

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-11 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-11 and 21-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

RD

DETAILED ACTION

1. This Office Action is in response to the amendment filed 06/02/2005.
2. Claims 1-4, 6, 9, 11 and 22-24.
3. Claims 5, 12-20 and 27 are canceled.
4. Claims 1-4, 6-11 and 21-26 are pending in this office action.

Response to Amendment

5. Applicant's arguments filed 06/02/2005 have been fully considered but they are not persuasive. See 'Response to Arguments' for details.
6. The previous grounds of rejection, presented in the office action mailed 3/03/2004, is respectfully maintained in accordance with the amendments.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-4 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Intermediaries: new places for producing and manipulating Web content" by Barrett and Magilo (hereinafter Barrett) in view of "How to Personalize the Web" by Barrett, Magilo and Kellem (hereinafter BMK).

9. Note: Barrett was originally provided through an IDS submitted by Applicants.

BMK was previously cited in the Final Office Action mailed 08/16/04.

10. With respect to Claim 1, Barrett teaches an information retrieval system that serves to retrieve information requested by a client machine from a remote server via a network, the client machine operating a network browser (Page 510, 1st paragraph "Intermediaries..."), said system comprising: an intermediate server coupled to a network (Page 514-515, Section 4.1 "Configurations"), said intermediate server receives requests (Page 511 Fig. 2) and performs processing on responses to the requests before returning the responses to a client machine (Page 512, Sections 3.1 and 3.2): at least one third-party application plug-in installed on the intermediate server (Page 512 Section 3 1st and 2nd paragraphs and Page 513, Last paragraph of Section 3.2 "WBI operation"), the third-party application plug-in to filter the response to render at least one feature available at the client machine without counterpart plug-ins at the client machine (Page 510, "Web Personalization" and "Content Distillation" paragraphs, and Pages 512-513 Section 3.2 "WBI operation", and Table 1 on page 513); and a history manager operable on the intermediate server, the history manager storing results of historical requests from the client machine (Page 509 - implementation of personal history noted in 'Abstract', Page 510 - 'Web Personalization', and Page 515 - first paragraph on the page), wherein the received requests that are not login requests or directly addressed to the intermediate server are assumed to be destined for a remote server and are forwarded by the intermediate server to the remote server (Page 512-513, Sections 3.2 and Table 1, Page 511, first 2 paragraphs under Section 2, note also Pages 513-514,

section 3.3.1. in relation to directly addressing the intermediate server and Page 515, first paragraph discussing known login requests).

Barrett does not explicitly disclose the history manager provides results of historical requests to the client machine in response to a view history request from the client machine. BMK teaches the use of a history manager that is built using the same technology presented in Barrett (See Page 79 - 'Simple Agents Solve Common Problems' in BMK. Note also that Barrett makes reference to the BMK article on Page 510 - 'Web Personalization'). The history manager in BMK is capable of providing results of historical requests, which are stored in the history manager, in response to a view history request to the intermediate server from the client machine (Page 79 - 'Personal History' of BMK). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Barrett and modify it as indicated by BMK such that the system further comprises a history manager operable on the intermediate server, the history manager storing results of historical requests from the client machine and providing the results of the historical requests to the client machine in response to a view history request from the client machine, wherein the received requests that are not view history requests or login requests to the intermediate server are assumed to be destined for a remote server and are forwarded by the intermediate server to the remote server. One would be motivated to have this, as there is need for solving common problems users experience with information retrieval, such as being able to find historical requests (Page 79 - 'Simple Agents Solve Common Problems' and 'Personal History', in BMK).

11. With respect to Claim 2, Barrett in view of BMK teaches all the limitations of Claim 1 and further teaches said third-party application plug-in operates at said intermediate server to process the responses to the requests before returning the responses to the client machine (Page 512, Sections 3.1 and 3.2 of Barrett).

12. With respect to Claim 3, Barrett in view of BMK teaches all the limitations of Claim 1 and further teaches said third-party application plug-in operates at said intermediate server to pass the responses to the requests through an application filter provided by said third-party application plug-in before returning the responses to the client machine (Page 512, Section 3 of Barrett).

13. With respect to Claim 4, Barrett in view of BMK teaches all the limitations of Claim 1 and further teaches said information retrieval system further comprises: an application plug-in framework that facilitates incorporating at least one third-party application plug-in within the intermediate server (Page 512 Section 3, 1st and 2nd paragraphs and Page 513, Last paragraph of section 3.2 "WBI operation" of Barrett); a data storage device operatively connected or within said intermediate server (Page 513 Fig. 4 of Barrett); and a cookie manager operable on said intermediate server (Page 513, Section 3.3.1 "Cookie Manager" of Barrett), said cookie manager operates to manage centralized storage of cookies in said data storage device with respect to the client machine and the remote server (Page 513 Fig. 4 of Barrett), wherein cookies from the remote server provided with a response are stored in said data storage device by said cookie manager instead of at the client machine (Page 513 Fig. 4 of Barrett), and wherein said cookie manager retrieves previously stored cookies from said data storage

device that are associated with the remote server and the client machine (Page 513 Fig. 4 of Barrett), and provides the retrieved previously stored cookies to the remote server with the request (Page 513 Fig. 4 of Barrett).

14. With respect to Claim 21, Barrett in view of BMK teaches all the limitations of Claim 1 and further teaches a third party application plug-in of the at least one third-party application plug-in is operable to remove data from the response (Page 513-514, Section 3.3.1 of Barrett)

15. With respect to Claim 22, Barrett in view of BMK teaches all the limitations of Claim 1 and further teaches wherein the intermediate server receives request from client machines located on a plurality of client networks (Page 510, Introduction, and Page 512-513, Section 3.2 of Barrett).

16. With respect to Claim 23, Barrett in view of BMK teaches all the limitations of Claim 1 and further teaches wherein the intermediate server returns responses to client machines located on a plurality of client networks (Page 510, Introduction, and Page 512-513, Section 3.2 of Barrett).

17. With respect to Claim 24, Barrett in view of BMK teaches all the limitations of Claim 4 and further teaches wherein the application plug-in framework includes a plurality of third-party application plug-ins operable to filter the response in series (Page 512-513, Section 3.2, and Page 514, Section 3.3.2, and Fig. 5 of Barrett).

18. Claims 6-11, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett in view of U.S. Patent 5,752,022 by Chiu et al. (Chiu) and BMK.

19. With respect to Claim 6, Barrett teaches an intermediary server system (Page 514-515, Section 4.1 Configurations), comprising: a web server that receives requests for resources from client machines (Page 510, 1st paragraph "Intermediaries..."), a HTTP handler operatively connected to said web server, said HTTP handler receives the requests for resources, modifies the requests when the requests are intended for remote servers (Page 513 Table 1 "Request Editor"), and forwards the modified requests for resources to the remote servers (Page 514 Section 4, 1st Paragraph); a HTML parser operatively connected to said HTTP handler, said HTML parser receives the resources supplied by the remote servers in response to the modified requests (Page 513 Table 1 "Document Editor"); and a history manager storing resources previously requested by the client machine (Page 509 - implementation of personal history noted in 'Abstract' , Page 510 - 'Web Personalization', and Page 515 - first paragraph on the page), wherein the HTTP handler determines that the requests are intended for the remote servers by assuming the requests are intended for the remote servers when the requests are not login requests or directly addressed to the web server (Page 512-513, Sections 3.2 and Table 1, Page 511, first 2 paragraphs under Section 2, note also Pages 513-514, section 3.3.1. in relation to directly addressing the intermediate server and Page 515, first paragraph discussing known login requests).

Barrett does not explicitly disclose modifying the resources such that certain links are modified to be directed to the intermediary server system. Chiu teaches one can modify received resources such that certain links contained therein can be modified to be directed to the intermediary server system (Col. 3 lines 11-25 of Chiu). This allows a system to modify a resource for additional linking information or functions other than those originally provided (Col. 2 lines 35-60 of Chiu).

Barrett also does not explicitly disclose the history manager providing the previously requested resources in response to a view history request received from the client machine. BMK teaches the use of a history manager as part of a solution to help users re-find resources they have found before. The history manager is built using the same technology presented in Barrett (See Page 79 - 'Simple Agents Solve Common Problems' in BMK. Note also that Barrett makes reference to the BMK article on Page 510 - 'Web Personalization'). The history manager in BMK is capable of providing resources that were previously requested in response to a view history request to the web server received from the client machine (Page 79 - 'Personal History' of BMK).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Barrett and modify it as indicated by Chiu and BMK such that the system further comprises a HTML parser operatively connected to said HTTP handler, said HTML parser receives the resources supplied by the remote servers in response to the modified requests, and modifies the resources such that at least certain links contained therein are modified to be directed to an intermediary server system instead of the remote servers; and a history manager to

provide resources that were previously requested by the client machines in response to a view history request received from the client machines, wherein the HTTP handler determines that the requests are intended for the remote server by assuming the requests are intended for the remote servers when the requests are not view history requests or login requests to the web server. One would be motivated to have this, as there is need for customizing and extending information retrieval to provide users a more flexible and personalized experience (In Barrett, Page 510, 2nd paragraph - "Intermediaries represent...", and Page 511, 1st and Last paragraphs on page).

20. With respect to Claim 7, Barrett in view of Chiu and BMK teaches all the limitations of Claim 6 and further teaches said intermediary server system further comprises: a session manager that manages sessions between the client machines or their users and said intermediary server system (Page 513-514, Section 3.3.1, and Fig. 4, Page 515, 1st Paragraph, Page 510 "Web personalization" paragraph, of Barrett); a server information manager that manages remote server supplied identification or state information provided to said intermediary server system by remote servers (Page 513, Section 3.3.1 Cookie Manager of Barrett); and a data store for storage of session management data provided by said session manager and remote server supplied identification or state information provided by said server information manager (Page 513, Section 3.3.1 Cookie Manager of Barrett).

21. With respect to Claim 8, Barrett in view of Chiu and BMK teaches all the limitations of Claim 7 and further teaches the remote server supplied identification or the

state information provided by said server information manager comprises cookies (Page 513, Section 3.3.1 "Cookie Manager" of Barrett).

22. With respect to Claim 9, Barrett in view of Chiu and BMK teaches all the limitations of Claim 6 and further teaches the history manager uniquely stores each of the previously requested resources identified by one or more of a URL, a host name, a path, a timestamp, or a file reference (Page 79, 'Personal History' of BMK).

23. With respect to Claim 10, Barrett in view of Chiu and BMK teaches all the limitations of Claim 6 and further teaches said intermediary server system further comprises: an application plug-in framework that facilitates incorporating at least one application plug-in within said intermediary server system so as to provide additional functionality (Page 512 Section 3, 1st and 2nd paragraphs and Page 513, Last paragraph of section 3.2 "WBI operation", of Barrett).

24. With respect to Claim 11, Barrett in view of Chiu and BMK teaches all the limitations of Claim 9 and further teaches the history manager provides search service of the previously requested resources to the client machines (Page 78, 'Personal History' of BMK).

25. With respect to Claim 25, Barrett in view of Chiu and BMK teaches all the limitations of Claim 6 and further teaches wherein the web server receives request from client machines located on a plurality of client networks (Page 510, Introduction, and Page 512-513, Section 3.2, of Barrett).

26. With respect to Claim 26, Barrett in view of Chiu and BMK teaches all the limitations of Claim 6 and further teaches wherein the modified resources are returned

to client machines located on a plurality of client networks (Page 510, Introduction, and Page 512-513, Section 3.2 of Barrett).

Response to Arguments

27. Applicant's arguments filed 06/02/2005 have been fully considered but they are not persuasive.

28. Applicants argue on pages 9-10 of the remarks- "*(Barrett, section 3.2). This disclosure of Barrett provides for a number of steps that are to be followed when handling requests. None of these steps, however, disclose or suggest, as recited in amended claim 1, that received requests that are not view history requests or login requests to the intermediate server are assumed to be destined for a remote server and are forwarded by the intermediate server to the remote servers. If anything, Barrett teaches away from forwarding requests as recited in claim 1 as Barrett specifically discloses techniques for handling requests that are clearly different than those currently recited in claim 1.*"

a. Examiner's response - Applicant has not explained how the claimed subject matter is distinguished from the prior art other than a general allegation that the cited section of Barrett does not disclose such subject matter. The examiner disagrees with the applicants' interpretation of Barrett. Section 3.2 of Barrett describes the general steps of processing a request. In each step, the request is compared to rules and conditions to determine involvement. A MEG is not necessarily required to perform an action on a request or retrieved information. Particularly of note to this argument is step 2, which describes the Generator MEG. Generators are responsible for handling requests locally or for

forwarding requests to remote servers (In Barrett: See Table 1 on page 513).

Requests directed to the intermediate server will be serviced by the intermediate server while those requests directed to remote servers will be forwarded to the remote servers. The basic principal behind an intermediate server is to forward requests to remote servers when the intermediate server does not handle the request directly (In Barrett: Page 511, first 2 paragraphs under Section 2). The examiner considers these teachings alone to be within the scope of the claimed subject matter other than the explicitly described requests (i.e. "not view history requests or login requests to the intermediate server"). However, requests directed to the intermediate server may include login requests (In Barrett: Page 515, first paragraph) and view history requests as described in the BMK reference (See Page 79 - 'Simple Agents Solve Common Problems' in BMK). As such, applicants' arguments are not persuasive.

b. Furthermore, with respect to "teaching away", applicants have provided no evidence to how the cited steps of Barrett are teaching away. Just because the steps do not explicitly state, word for word, the claim limitation, does not mean Barrett teaches away. Applicants do not even explain how the steps are "clearly different", let alone how these difference amount to "teaching away". As such, applicants' arguments are not persuasive.

Conclusion


29. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Lazaro
August 10, 2005



SALEH NAJJAR
PRIMARY EXAMINER